

**MINUTES OF COUNCIL MEETING  
FEBRUARY 9, 2006  
6:30 P.M.**

The Murray City Council met in regular session on Thursday, February 9, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Lance Allison, Pete Lancaster, Rita Henley, Danny Hudspeth, Hugh Massey, Dan Miller, Robert Billington, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

**Council Members Absent:** Doris Parham.

**Staff Present:** Don Elias, J. L. Barnett, Don Leet, Clayton Hendricks, Michael Skinner, Thomas Clendenen, David Roberts, Candace Dowdy, Gail Mullins, Matt Mattingly, Philip Morris, Don Rogers, Harla McClure, and Warren Hopkins.

Mayor Rushing stated that this past weekend the Governor was at the Judicial Building to receive a Certificate of Community Preparedness. Don Elias, City Administrator, and Chief Claud worked with others to prepare a grant to receive this award. The City of Murray was one of the first responders in the State of Kentucky.

Minutes of the council meeting held January 26, 2006, were presented for approval. **Mr. Pittman moved, seconded by Mr. Allison**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

**Ordinance Number 2006-1395** an ordinance pursuant to KRS 81A.420 declaring the intent to annex a 301.877 acre tract of land generally located on the southwest side of Murray, Calloway County, Kentucky, was presented to the council on a second reading. **Mr. Massey moved, seconded by Mr. Billington** to adopt said ordinance.

Mr. Elias stated that findings of facts need to be stated in the motion to ensure that the statutory requirements are met. Therefore, **Mr. Allison moved, seconded by Mr. Wells** to amend the motion declaring the intent to annex a 301.877 acre tract of land generally located on the southwest side of Murray, Calloway County, Kentucky to include the following findings of fact presented by the Planning Commission:

- The City has received a petition from property owners within the area requesting annexation
- Proposed territory to be annexed meets the requirements as set forth in KRS 81A.410 which states the proposed area to be annexed is contiguous to the city's boundaries and is urban in character or suitable for development for urban purposes without unreasonable delay
- The proposed annexation would continue the current expansion of the corporate city limits which falls within the Urban Services area

- Portions of the area are currently being served by city utility services and there is a continued request from property owners in this area for city services
- Proposed territory to be annexed will receive benefits such as city fire and police protection, and more favorable utility rates
- Annexation would ensure controlled, orderly growth of the area that will meet the development needs of the City

Mr. Elias further stated that a copy of the letter mailed to the individuals listed on the PVA's records as owning property within the proposed territory as of January 1, 2006, and a list of the individuals who received the letter will be made a part of the minutes.

With no further discussion, Mayor Rushing called for a roll call vote regarding the motion to amend the motion to include the findings of fact, which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared the motion to amend the motion approved.

**Mr. Massey moved, seconded by Mr. Billington** to adopt Ordinance Number 2006-1395 as amended to include the findings of fact. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1395 adopted on the second reading and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1396** an Ordinance amending Chapter 50, Utility Customer Service, of the City of Murray Code of Ordinances was presented to the council on a second reading. **Ms. Henley moved, seconded by Mr. Pittman** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1396 adopted on the second reading and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1397** an Ordinance to rezone the rear portion of 807 and 809 Coldwater Road (2.312 acres) from R-2 (single family residential) to B-1 (neighborhood business district) was presented to the council on a first reading. Said property is owned by Giao Dinh and Tung Dinh. **Mr. Billington moved, seconded by Ms. Henley** to approve said ordinance.

With no discussion, Mayor Rushing calls for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1397 approved on the first reading.

**Ordinance Number 2006-1398** an ordinance amending the pay for council members as it relates to attendance was presented to the council for approval. **Ms. Henley moved, seconded by Mr. Pittman** to approve said ordinance.

Councilman Seargent asked to address the council regarding the issue. He stated there is more to being a council member than just attending two meetings a month. He stated he was convinced that the missed meetings have not affected the overall operation or duties of the council; however, attending all meetings is important.

Councilman Hudspeth agreed with Mr. Seargent. He stated when individuals are elected to the position, it is not just for the second and fourth Thursday nights; it is for the entire year.

There were additional comments made, both in favor of and against the proposed ordinance. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

**AYES:** Lance Allison, Pat Scott, Rita Henley, Robert Billington, Jason Pittman, Pete Lancaster, and Bill Wells.

**NAYS:** Danny Hudspeth, Hugh Massey, Dan Miller, and Butch Seargent.

Mayor Rushing declared Ordinance Number 2006-1398 approved on the first reading by a vote of 7 to 4.

**Recommendation** to appoint Michael Skinner as fire chief. Mr. Elias stated that this is a procedural item and historically this issue has not come before the council for approval for the

office of fire chief. He stated that there are certain offices that are nonelected appointed offices and in 2002 a piece of legislation passed that added fire chief to be one of those positions.

**Mr. Hudspeth moved, seconded by Mr. Massey** to approve the recommendation of Michael Skinner as fire chief. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Sargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared that Michael Skinner is hereby appointed the next fire chief for the City of Murray.

Mayor Rushing advised the council that a reception for Keith Bailey, the newly appointed CEO for the Murray Calloway County Hospital, will be held at the Murray State Alumni House on February 23<sup>rd</sup>, from 4:00 p.m. to 6:00 p.m.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure, City Clerk